

Application No. 10/769,838
Reply to Office Action mailed 18 October 2005

REMARKS

At the time of this action, Claims 1-16 were pending in the present application. Of these, claims 1-12 have been withdrawn from consideration by the Examiner in a restriction requirement that has been made final. The applicant has cancelled these claims above, along with claim 15.

New claims 17-20 are introduced above. Of these, claim 17 presents a limitation formerly in claim 8 and claims 18-20 correspond to former claims 5-7.

Election/Restriction

The Examiner's final determination that restriction is proper and that the applicant has elected claims 13-16 is acknowledged.

Information Disclosure Statement

The Examiner's review of the art submitted in the Information Disclosure Statement of 25 May 2004 is acknowledged.

Section 102 Rejections

The Examiner has rejected claims 13, 15 and 16 as anticipated by US Patent 6,885,412 B2 to Ohnishi ("Ohnishi '412). Applicant respectfully traverses these rejections.

Applicant admits that Ohnishi '412 discloses front and rear plates (2, 1) and a layer of liquid crystals (3) interposed between the front and rear plates, as required by claim 13 as presently amended.

Applicant traverses the Examiner's finding that Ohnishi '412 discloses "at least one thermal sensor interposed between said front and rear plates to provide temperature sensing of the layer of liquid crystals." Based on the Examiner's statement that reference numeral 8 in Ohnishi '412 qualifies as a temperature sensor, applicant respectfully traverses the Examiner's finding. Reference numeral 8 is a "light

Application No. 10/769,838
Reply to Office Action mailed 18 October 2005

transmissive temperature application section" (Col. 8, lines 59-60) and this same sentence, which is descriptive of Fig. 1, states that the "temperature adjustment member" includes not only the light-transmissive temperature application section 8, but also a "temperature control section (not shown)." Referring later on in the specification to Col. 10, lines 5-16, Ohnishi '412 states that the temperature control section that is connected to the temperature application section 8 may include a detection system citation. If the temperature control section and/or its component detection system section are "integral to the TFT array layer" as required by claim 13 as amended, they should be shown in Fig. 3, which shows the TFT array layer. From these statements and since a TFT array (reference number 13) is shown in Fig. 3 of Ohnishi '412, again without particular reference to any reference number showing a temperature sensor, applicant respectfully submits that claim 13 as amended is allowable, because Ohnishi '412 does not put one of ordinary skill in possession of the present invention as claimed.

Applicant further points out that Ohnishi '412 teaches that the light-transmissive temperature application section may even be an external heater (Col. 9, lines 54-57), so the placement of the thermal sensor is rendered even more indefinite than it is by Ohnishi's failure to identify it with a reference number, even though the temperature application section (8) and TFT array (13) are identified in the figures.

Claim 15 has been cancelled, after incorporation of its limitations into claim 13.

New dependent claim 17 presents limitations from claim 8 that are in no way anticipated by or obvious over the disclosure of Ohnishi '412.

Section 103 rejection

The Examiner has rejected claim 14 as obvious over the combination of Ohnishi '412 with US Patent 6,774,883 to Mühlemann ("Mühlemann '883"). In making the rejection, the Examiner relies upon the background of Mühlemann '883 for the teaching that it is known to have an LCD where the thermal sensors comprise an array of diodes, so it would have been obvious to combine Mühlemann '883 with Ohnishi '412.

Application No. 10/769,838
Reply to Office Action mailed 18 October 2005

Applicant traverses this combination because Mühlemann '883 specifically teaches away from the use of an analog thermal sensor due to inaccuracies incurred therein, a point which is made, but apparently not properly understood, by the Examiner.

In view of the foregoing amendments to the claims and arguments against the present rejections, reconsideration and allowance of the claims is earnestly requested.

Respectfully submitted,

Date: 8 Nov. 2005

By: 

Stephen L. Grant
Registration No. 33,390
Standley Law Group LLP
495 Metro Place South, Suite 210
Dublin, Ohio 43017-5315
Telephone: (614) 792-5555
Facsimile: (614) 792-5536
sgrant@standleyllp.com